

Exhibit 28



U.S. Department of Justice

Federal Bureau of Prisons

Metropolitan Correctional Center

Office of the Warden

150 Park Row
New York, New York 10007

July 19, 2010

[REDACTED]
Metropolitan Correctional Center
150 Park Row
New York, New York 10007

Dear [REDACTED]:

On May 10, 2010, you were issued a notice which proposed you be suspended for a period of fourteen (14) calendar days for Failure to Exercise Sound Correctional Judgment. In making my decision, I have given full consideration to the proposal, your oral response, and to the evidence contained in the disciplinary action file which was made available to you.

After careful consideration, I find the charge fully supported by the evidence in the disciplinary action file. All staff working within a correctional facility are considered correctional workers first, responsible for the safe and secure operation of institution operations. As such, you are responsible for being responsive to any and all emergency situations. Failure on the part of any staff member to respond to emergencies compromises our ability to properly address and take action to quell the emergency and could jeopardize the safety of staff and/or inmates.

During your oral response, you stated you saw some type of scuffling and dialed "222" and thought it would light up automatically on a screen in the Control Center to alert everyone. You also stated you didn't assist thinking it would be excessive force. Although you have expressed remorse and taken responsibility for your actions, responding to emergencies is mandatory and requires immediate action because failure to respond to an emergency may jeopardize the lives of staff and/or inmates.

In determining the appropriate penalty, I considered among other factors, this is your first disciplinary offense, your performance is at an acceptable level, and you have nineteen (19) years of service with this agency. Therefore, it is my decision you be suspended for three (3) calendar days. You will be suspended effective July 26, 2010, through July 28, 2010, inclusive. You will report for duty at your regularly scheduled hour on July 29, 2010. This suspension is warranted, is in the efficiency of the service, and should have the desired corrective effect.

Page 2

You have the right to appeal this decision under either of the following procedures:

- a grievance under the grievance procedure contained in the Master Agreement (negotiated grievance procedure); or
- a formal complaint under the Department of Justice Equal Employment Opportunity Program Procedures, DOJ 1200.1, Part 4, Chapter 4-1 (September 12, 2003) (EEO).

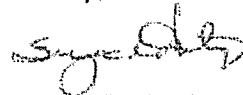
If you appeal this decision, you must elect to do so under only one procedure. You are considered to have made an election when you timely file, in writing, a grievance under the negotiated grievance procedure or a formal complaint with EEO. Please ensure you elect under which procedure you wish to proceed because, if you file under more than one procedure, the procedure under which you timely filed first shall be considered to be your elected procedure.

If you elect to file a grievance under the negotiated grievance procedure, you must file, in writing, no later than forty (40) calendar days from the date you receive this letter. You should file under Article 31 of the Master Agreement. A grievance form may be obtained from any union steward.

You may file an EEO complaint only if you believe this decision is based on discrimination because of race, sex, color, religion, age, physical or mental handicap, national origin, retaliation, parental status, sexual orientation, or genetic information. If you elect to file a formal complaint of discrimination, you must contact an EEO counselor within forty-five (45) calendar days from your receipt of this letter. If after counseling you wish to file a formal complaint, the complaint must be mailed no later than fifteen (15) calendar days after your receipt of the EEO counselor's Notice of Final Interview. The address to which a formal complaint should be sent is: EEO Officer, Federal Bureau of Prisons, 320 First Street, NW, Washington, DC 20534. A formal complaint form may be obtained from an EEO counselor. The EEO counselor for this institution is Wanda M. Dorsey who can be reached at (202) 514-6165.

Should you have any questions or need assistance in this matter, please contact Elizabeth Marín-Rodríguez, Human Resource Manager or Dee Messam, Lead Human Resource Specialist, at (646) 836-6312.

Sincerely,



Suzanne R. Hastings
Warden

I have received the original and one copy of this letter.

Signature: _____

Date: 7/19/10



U.S. Department of Justice
Federal Bureau of Prisons
Metropolitan Correctional Center
Office of the Warden

150 Park Row
New York, New York 10007

May 8, 2009

[REDACTED]
Metropolitan Correctional Center
150 Park Row
New York, NY 10007

Dear [REDACTED]:

On January 27, 2009, and February 11, 2009, you were issued a notice which proposed that you be removed from your position with the Bureau of Prisons for Unauthorized Release of Information and Attempting to and/or Conducting an Investigation Without Authorization. In making my decision, I have given full consideration to the proposal, to your written and oral responses on February 11, 2009, and to the evidence contained in the adverse action file which has been made available to you.

After careful consideration, I find the charges sustained and fully supported by the evidence in the adverse action file. As a [REDACTED], your primary responsibility is to ensure the safety and security of inmates in various areas of the institution. The Witness Security (WITSEC) Unit provides additional security to inmates by being a separate and distinct unit and providing anonymity (by not using inmate names) to the inmates housed therein. The inmates assigned to this unit have placed their lives in jeopardy by cooperating with law enforcement and are under our care in the program to ensure their protection. Disclosing the identity of WITSEC inmates, indicating whether or not they remained housed at your institution, as well as disclosing the identities of those associated with them, fundamentally undermines the very purpose of the WITSEC program. Once identified, the physical well-being of the inmates and those associated with him, could have been jeopardized.

[REDACTED]

Your actions are further exacerbated in that while on duty, you attempted to question inmates about their knowledge of the allegations made about you by a third inmate. On your day off, you again attempted to speak with an inmate about these allegations by contacting the [REDACTED]. When the inmate refused your call, you then asked the [REDACTED] to review a logbook for information on that inmate. While your actions may appear innocuous, because these same inmates may have been involved with the allegations, your actions could have compromised the integrity and validity of any subsequent sanctioned investigation.

In your oral and written responses, you unequivocally acknowledged and accepted responsibility for your actions. You admit you were not authorized to release the information identified above and did so because you feared for your life. As a seasoned employee, especially as a [REDACTED] you should know it is your duty to notify management of inmate misconduct, particularly if it involves criminal activity. Although, you stated you were informed by [REDACTED] the [REDACTED], of the inmate accusations against you and she appeared not to take them seriously, she denies that claim. Additionally, it is incumbent upon you as an employee to report to the next higher level of authority if you believe appropriate action is not being taken. Considering the seriousness of the accusations made against you, and according to you, the very real threat you felt against your life, it is hard for me to believe you would not make the Executive Staff aware of the situation. Employees are provided various means of reporting misconduct which extends beyond the institution, but within the Department of Justice (i.e., Regional Office, Office of Internal Affairs, Office of Inspector General, Federal Bureau of Investigation). However, instead of using one of these appropriate reporting methods, you chose to speak with an inmate's attorney. And not any inmate attorney, but the attorney for the inmate with whom it was accused you were conspiring to commit a crime.

In determining the most appropriate penalty, I considered among other factors, that you have no disciplinary action within the reckoning period, and your performance has remained at or above the Satisfactory level. I also considered that you accepted responsibility for and acknowledged the seriousness of your actions. However, the carelessness of your actions could have gravely compromised the safety and well being of at least three (3) Witness Security Inmates, as well as the prosecuting attorney, judge, and potentially their family members. Furthermore, by providing unauthorized information to an inmate attorney, the New York Daily News ran a story about the alleged "murder for hire". Your actions in this matter have destroyed

[REDACTED]

your credibility and effectiveness as an employee and someone capable of making sound decisions affecting the life and well-being of others. It is my decision that you be removed from your position effective immediately upon receipt of this letter. Your removal is in the interest of the efficiency of the service.


You have the right to appeal this decision under any of the following procedures:

- a grievance under the grievance procedure contained in the Master Agreement (negotiated grievance procedure);
- an appeal with the Merit Systems Protection Board (MSPB); or
- a formal complaint under the Department of Justice Equal Employment Opportunity Commission complaint procedures (EEO).

If you appeal this decision, you must elect to do so under only one procedure. You are considered to have made an election when you timely file, in writing, a grievance under the negotiated grievance procedure, an appeal with the MSPB, or a formal complaint with EEO. Please ensure you elect under which procedure you wish to proceed because, if you file under more than one procedure, the procedure under which you timely file first shall be considered to be your elected procedure.

If you elect to file a grievance under the negotiated grievance procedure, you must file, in writing, no later than forty (40) calendar days from the date you receive this letter. You should file under Article 31 of the Master Agreement. A grievance form may be obtained from any union steward.

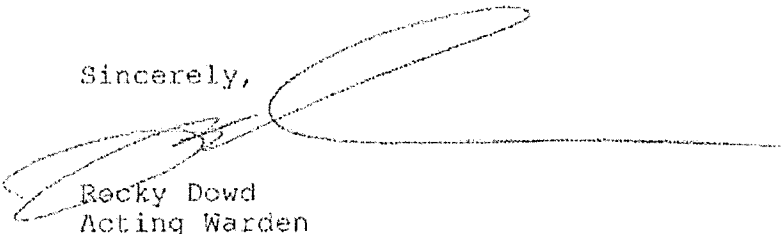
If you elect to file an appeal with the MSPB, you must file, in writing, no earlier than the day after, and no later than thirty (30) calendar days from, the effective date of this action. The MSPB will automatically extend the time limit by an additional thirty (30) calendar days (for a total of sixty calendar days) should the parties mutually agree, in writing, to attempt to resolve this dispute through an alternative dispute resolution (ADR) process. Along with the appeal you may submit any offers of proof, including affidavits. The address to which an appeal should be sent is: Merit Systems Protection Board, New York Regional Office, 26 Federal Plaza, Suite 3137-A, New York, New York 10278. A copy of the MSPB regulations and appeal form are available in the Employee Services Office or can be obtained from www.mspb.gov.



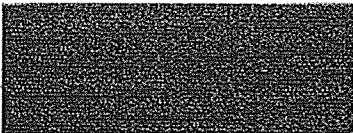
You may file an EEO complaint only if you believe this decision is based on discrimination because of race, sex, color, religion, age, physical or mental handicap, national origin, retaliation, sexual orientation, or status as a parent. If you elect to file a formal complaint with EEO, you must contact an EEO counselor within forty-five (45) calendar days from your receipt of this letter. If after counseling you wish to file a formal complaint, the complaint must be mailed no later than fifteen (15) calendar days after your receipt of the EEO counselor's Notice of Final Interview. The address to which a formal complaint should be sent is: EEO Officer, Federal Bureau of Prisons, 320 First Street N.W., Washington, D.C. 20534. A formal complaint form may be obtained from an EEO counselor. The EEO counselor for this institution is Wanda M. Dorsey and she can be reached at (202)514-6165.

Should you have any questions or need assistance in this matter, please contact Elizabeth Marin-Rodriguez, Employee Services Manager, at 646-836-6312 or 718-840-5320.

Sincerely,


Rocky Dowd
Acting Warden

I have received the original and one copy of this letter.

Signature 

Date 05-08-11



U.S. Department of Justice
Federal Bureau of Prisons
Metropolitan Correctional Center
Office of the Warden

150 Park Row
New York, New York 10007

March 26, 2010

[REDACTED]
Metropolitan Correctional Center
New York, New York 10007

Dear [REDACTED]

On January 5, 2010, you were issued a notice which proposed you be suspended for five (5) calendar days for Unprofessional Conduct and Providing an Inaccurate Statement. In making my decision I have given full consideration to the proposal, your oral response on January 7, 2010, your written response dated January 6, 2010, and to the evidence contained in the disciplinary file, which was made available to you.

After careful consideration, I find the charges fully supported by the evidence in the disciplinary action file. The Standards of Employee Conduct prohibit the use of profane, obscene, or abusive language, and requires employees to conduct themselves in a manner which will not be demeaning to inmates, fellow employees, or others. As a [REDACTED] it is imperative you maintain your professionalism and demonstrate effective communication skills with your supervisors, co-workers and inmates.

During the course of an official investigation, employees are to cooperate fully by providing all pertinent information and truthfully responding to all questions. Failing to do so damages your integrity and credibility as a correctional professional.

In determining the most appropriate penalty, I considered among other factors, you have over sixteen (16) years of service with the agency, you have no discipline within the reckoning period, you accept responsibility for your actions, and your supervisor continues to have confidence in your work performance. Therefore, it is my decision you be suspended for one (1) calendar day. You will be suspended effective March 29, 2010. You are to report for duty at your regularly scheduled hour on March 30, 2010. Your suspension is warranted, is in the interest of the efficiency of the service, and should have the desired corrective effect.

You have the right to appeal this decision under either of the following procedures:

- a grievance under the grievance procedure contained in the Master Agreement (negotiated grievance procedure);

or

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- a formal complaint under the Department of Justice Equal Employment Opportunity Commission complaint procedures (EEO).

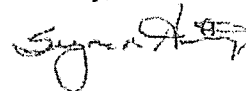
If you appeal this decision, you must elect to do so under only one procedure. You are considered to have made an election when you timely file, in writing, a grievance under the negotiated grievance procedure or a formal complaint with the EEO. Please ensure you elect under which procedure you wish to proceed because, if you file under more than one procedure, the procedure under which you timely filed first shall be considered to be your elected procedure.

If you elect to file a grievance under the negotiated grievance procedure, you must file, in writing, no later than forty (40) calendar days from the date you receive this letter. You should file under Article 31 of the Master Agreement. A grievance form may be obtained from any union steward.

You may file an EEO complaint only if you believe this decision is based on discrimination because of race, sex, color, religion, age, physical or mental handicap, national origin, retaliation, parental status, genetic information, or sexual orientation. If you elect to file a formal complaint of discrimination, you must contact an EEO counselor within forty-five (45) calendar days from your receipt of this letter. If after counseling you wish to file a formal complaint, the complaint must be mailed no later than fifteen (15) calendar days after your receipt of the EEO counselor's Notice of Final Interview. The address to which a formal complaint should be sent is: EEO Officer, Federal Bureau of Prisons, 320 First Street, NW, Washington, D.C. 20534. A formal complaint form may be obtained from an EEO counselor. The EEO counselor for this institution is Wanda M. Dorsey who can be reached at (202) 514-6165.

Should you have any questions or need assistance in this matter, please contact Dee Messam, Lead Employee Services Specialist or Elizabeth Marin-Rodriguez, Employee Services Manager, at (646) 836-6312.

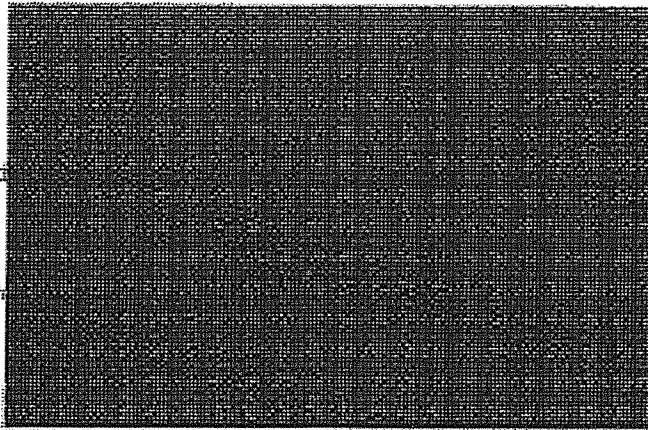
Sincerely,



Suzanne R. Hastings

I received

Signature



Date:

March 26, 2010



U.S. Department of Justice

Federal Bureau of Prisons

Metropolitan Correctional Center

150 Park Row
New York, New York 10007

April 21, 2010

[REDACTED]
Metropolitan Correctional Center
New York, New York 10007

Dear [REDACTED]

On December 2, 2009, you were issued a notice which proposed you be suspended for a period of thirty (30) calendar days for Off-Duty Misconduct. In making my decision I have given full consideration to the proposal, your oral response of December 16, 2009, your written response which was not dated, and to the evidence contained in the adverse action file which was made available to you.

During your oral response, you stated your misconduct has hurt your family and has caused you to grow into adulthood. You cited your actions were in self defense, you realized you have to "get some type punishment" and requested consideration be given to the "already served one year and four months suspension" you received. Additionally, you stated looking back at the incident, you would have proceeded differently. In your written response, you indicated you agreed with the information in the proposal letter which discussed illegal activities, how the Bureau expects their employees to conduct themselves, and how this incident could have placed others in jeopardy. However, you disagreed with that statement that your behavior negatively reflected on you as a law enforcement officer, may have reflected negatively on the agency or discredited the ongoing relationship the Bureau of Prisons maintains with local law enforcement. Becoming involved in a physical altercation in a public setting, with your personal firearm, could have resulted in grievous harm to yourself and/or others. Choosing to carry a firearm comes with great responsibilities and consequences. In addition to violating the requirements set forth in the Standards of Employee Conduct, your behavior was contrary to your role as a correctional worker; therefore, I agree that your behavior negatively reflected on you as a law enforcement officer and could have reflected negatively on our agency. While I recognize your forthrightness in accepting responsibility for your behavior, it does not negate this serious misconduct. As you indicated that you should receive punishment, you should also be aware that the discipline imposed is not used as a punishment, but as a tool to correct behavior. Lastly, the indefinite suspension you served was necessary pending the investigation into the criminal charges against you and not as an administrative action for your misconduct.

After careful consideration, I find the charge sustained and fully supported by the evidence in the adverse action file. In determining the most appropriate penalty, I considered among other factors, you accepted responsibility for your actions. I considered that your past work record has been acceptable, you have no prior discipline within the reckoning period and that you were not the aggressor in this situation. However, a charge of Off-Duty Misconduct is very serious in light of your position as a law enforcement officer and could have resulted in

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loss of life. As an agency, we require a working relationship with other law enforcement agencies and as a law enforcement officer, your integrity and credibility are essential to the agency's ability to accomplish its mission. The penalty I am imposing is consistent with the agency's table of penalties regarding your misconduct. Additionally, I considered you were put on notice of the expectations of staff during Ethics/Standards of Employee Conduct Training conducted each year during Annual Refresher Training. Therefore, it is my decision a suspension of twenty-one (21) calendar days should have the desired corrective effect. You will be suspended effective April 28, 2010 through May 18, 2010, inclusive. You will report for duty at your regular scheduled hour on May 19, 2010. Your suspension is warranted and in the interest of the efficiency of the service.

You have the right to appeal this decision under any of the following procedures:

- a grievance under the grievance procedure contained in the Master Agreement (negotiated grievance procedure);
- an appeal with the Merit Systems Protection Board (MSPB); or
- a formal complaint under the Department of Justice Equal Employment Opportunity Commission complaint procedures (EEO).

If you appeal this decision, you must elect to do so under only one procedure. You are considered to have made an election when you timely file, in writing, a grievance under the negotiated grievance procedure, an appeal with the MSPB, or a formal complaint with EEO. Please ensure you elect under which procedure you wish to proceed because, if you file under more than one procedure, the procedure under which you timely file first shall be considered to be your elected procedure.

If you elect to file a grievance under the negotiated grievance procedure, you must file, in writing, no later than forty (40) calendar days from the date you receive this letter. You should file under Article 31 of the Master Agreement. A grievance form may be obtained from any union steward.

If you elect to file an appeal with the MSPB, you must file, in writing, no earlier than the day after, and no later than thirty (30) calendar days from the effective date of this action. The MSPB will automatically extend the time limit by an additional thirty (30) calendar days (for a total of sixty calendar days) should the parties mutually agree, in writing, to attempt to resolve this dispute through an alternative dispute resolution (ADR) process. Along with the appeal you may submit any offers of proof, including affidavits. The address to which an appeal should be sent is: Merit Systems Protection Board, New York Regional Office, 26 Federal Plaza, New York, New York 10278. A copy of the MSPB regulations and appeal form are available in the Employee Services Office or can be obtained from www.mspb.gov

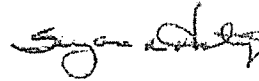
You may file an EEO complaint only if you believe this decision is based on discrimination because of race, sex, color, religion, age, physical or mental handicap, national origin, retaliation, parental status, sexual orientation, or genetic information. If you elect to file a formal complaint of discrimination, you must contact an EEO counselor within forty-five (45) calendar days from your receipt of this letter. If after counseling you wish to file a formal complaint, the complaint must be mailed no later than fifteen (15) calendar days after your receipt of the EEO counselor's Notice of Final Interview.


Page 3

The address to which a formal complaint should be sent is: EEO Officer, Federal Bureau of Prisons, 320 First Street, NW, Washington, D.C. 20534. A formal complaint form may be obtained from an EEO counselor. The EEO counselor for this institution is Wanda M. Dorsey who can be reached at (202) 514-6165.

Should you have any questions or need assistance in this matter, please contact Elizabeth Marín-Rodríguez, Employee Services Manager or Dee Messam, Lead Employee Services Specialist, at (646) 836-6312.

Sincerely,



Suzanne R. Hastings
Warden


Date: 4/21/2010



U.S. Department of Justice

Federal Bureau of Prisons

Metropolitan Correctional Center

150 Park Row
New York, New York 10007

September 1, 2010

[REDACTED]
Metropolitan Correctional Center
New York, New York 10007

Dear [REDACTED]

On February 5, 2010, you were issued a notice which proposed you be suspended for thirty (30) calendar days for Failure to Follow Post Orders; Providing Inaccurate Information on an Official Document and Absence Without Leave (AWOL). In making my decision I have given full consideration to the proposal, your written response dated and received on January 23, 2010, your oral response of February 23, 2010, and to the evidence contained in the adverse action file, which was made available to you.

After careful consideration, I find the charges of failure to follow post orders and providing inaccurate information on an official document fully supported by the evidence in the adverse action file. During your oral response, you admitted to making a mistake and ensured it will not happen again. In your written response, you stated you are not perfect and could not say you are not guilty of the charges, but you have reasons and documents to explain your innocence. You stated you were being compassionate to [REDACTED] because he complained of being sick, so you performed the official count alone and permitted officer [REDACTED] to sign the leave slip.

Policies and procedures are in place to ensure the orderly operation of the institution, while providing for the safety and security of the staff, inmates and the community. Inmate accountability is paramount and a basic tool to ensure this accountability is the official count. Failing to properly conduct this count undermines the success of correctional basics. In addition, documentation such as count slips and log book entries are official documents and may be utilized during court proceedings. Your actions inaccurately compromised the integrity of these documents. As you know, the Metropolitan Correctional Center, as a component of the Federal Prison System, is charged with the care, custody, and correction of individuals convicted or awaiting trial for violation of the criminal laws of the United States. It is imperative our employees exhibit the type of integrity we attempt to instill in our inmate population. Your actions in this matter have called into question your credibility as a correctional officer.

I also find the AWOL fully supported by the evidence in the adverse action file. However, I considered the circumstances surrounding the death of your family members and have taken into consideration your thought processes and being confused after receiving the tragic news. In your oral response, you admit to leaving without receiving approval for your leave request, assuming your request would have been approved based on the magnitude of the circumstances. Although, I am empathetic regarding your unfortunate crisis, it is your

responsibility to ensure leave is approved prior to taking leave. Your decision to leave prior to receiving approval inhibits your supervisor's ability to plan the departments' daily operation effectively.

In your written response, you admitted requesting leave for some months. You also stated while you were in Nigeria, you called the job and spoke to [REDACTED] who told you, you were being marked AWOL, so you returned immediately to save your job. You also stated, your supervisors were calling the wrong residence when trying to contact you, which is the reason you were unaware of your supervisors attempts to contact you. I find this contrary to the statement in your affidavit dated, May 15, 2009, stating your wife contacted you two weeks later and informed you a message was left on the answering machine saying you were AWOL.

In determining the most appropriate penalty, I considered among other factors, you have no prior discipline, your performance is at a satisfactory level, and the tragic circumstances of the death of your family members. Therefore, it is my decision you be suspended for a period of ten (10) calendar days. You will be suspended effective September 6, 2010, through September 15, 2010, inclusive. You are to report for duty at your regular scheduled hour on September 16, 2010. Your suspension is warranted, in the interest of the efficiency of the service, and should have the desired corrective effect.

You have the right to appeal this decision under either of the following procedures:

- a grievance under the grievance procedure contained in the Master Agreement (negotiated grievance procedure);
- a formal complaint under the Department of Justice Equal Employment Opportunity Commission complaint procedures (EEO).

If you appeal this decision, you must elect to do so under only one procedure. You are considered to have made an election when you timely file, in writing, a grievance under the negotiated grievance procedure or a formal complaint with the EEOC. Please ensure you elect under which procedure you wish to proceed because, if you file under more than one procedure, the procedure under which you timely filed first shall be considered to be your elected procedure.

If you elect to file a grievance under the negotiated grievance procedure, you must file, in writing, no later than forty (40) calendar days from the date you receive this letter. You should file under Article 31 of the Master Agreement. A grievance form may be obtained from any union steward.

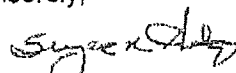
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Page: 3


Washington, D.C. 20534. A formal complaint form may be obtained from an EEO counselor. The EEO counselor for this institution is Wanda M. Dorsey who can be reached at (202) 514-6185.

Should you have any questions or need assistance in this matter, please contact Elizabeth Marin-Rodriguez, Human Resource Manager, or Dee Messam, Lead Human Resource Specialist, at (646) 836-6312.

Sincerely,


Suzanne R. Hastings
Warden

I received the original and one copy of this letter.

Signature: 

Date: 09/02/10



U.S. Department of Justice

Federal Bureau of Prisons

Metropolitan Correctional Center

Office of the Warden

150 Park Row
New York, New York 10007

August 18, 2011

[REDACTED]
Metropolitan Correctional Center
New York, New York 10007

Dear [REDACTED]:

On June 10, 2011, you were issued a notice which proposed you be suspended for a period of seven (7) calendar days for Failure to Follow Policy and Providing Inaccurate Information during an Official Investigation. In making my decision I have given full consideration to the proposal, your oral response dated June 16, 2011, and to the evidence contained in the disciplinary action file which has been made available to you. You did not submit a written response for consideration.

After careful consideration, I find the charges fully supported by the evidence in the disciplinary action file. In your oral response, you accepted full responsibility for your actions. You stated, whatever the decision may be, you want to put this behind you and move on.

Considering the nature of the charges and the fact it involved a high security inmate who was housed on [REDACTED], and policy requires you to visually search inmates returning from outside escorted trips, your failure to follow the proper security procedures could have potentially caused a security breach in the institution. Although you accepted full responsibility for your actions, during the investigation you were not forthcoming with your information, causing me to question your integrity. Additionally, as a [REDACTED] you are held to a higher standard of conduct and are entrusted to provide guidance to subordinate staff.

In determining the most appropriate penalty, I considered among other factors, you have more than 15 years of service with the agency, you have had no prior discipline, and performance has been at an acceptable level. However, as a [REDACTED] you are held to a higher standard and are responsible for setting an example for subordinate staff. Therefore, it is my decision you be suspended for one (1) calendar day. This suspension is warranted, and in the interest of the efficiency of the service. This suspension should have the desired corrective effect. Your suspension will be effective August 23, 2011. You are to report for duty at your regularly scheduled hour on August 24, 2011.

You have the right to appeal this decision under either of the following procedures:

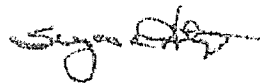
- a grievance in accordance with Department of Justice Order 1200.1, Chapter 3-2, Agency Grievance Procedures; or
- a formal complaint under the Department of Justice Equal Employment Opportunity Commission complaint procedures (EEO).

If you appeal this decision, you must elect to do so under only one procedure. You are considered to have made an election when you timely file, in writing, a grievance under the agency grievance procedure, or a formal complaint with EEO. Please ensure you elect under which procedure you wish to proceed because, if you file under more than one procedure, the procedure under which you timely file first shall be considered to be your elected procedure. If you elect to file a grievance under the agency grievance procedure, you must file, in writing, within fifteen (15) calendar days from your receipt of this letter. A copy of the agency grievance procedure is available at the Human Resources Department.

You may file an EEO complaint only if you believe this decision is based on discrimination because of race, sex, color, religion, age, physical or mental handicap, national origin, retaliation, or sexual orientation, genetic information or parental status. If you elect to file a formal complaint of discrimination, you must contact an EEO counselor within forty-five (45) calendar days from your receipt of this letter. If after counseling you wish to file a formal complaint, the complaint must be mailed no later than fifteen (15) calendar days after your receipt of the EEO counselor's Notice of Final Interview. The address to which a formal complaint should be sent is: EEO Officer, Federal Bureau of Prisons, 320 First Street N.W., Washington, D.C. 20534. A formal complaint form may be obtained from an EEO counselor. The EEO counselor for this institution is Charisma Owens, located at MDC Brooklyn, who may be reached at (718) 840-5000, extension 5105.

Should you have any questions or need assistance in this matter, please contact Elizabeth Marín-Rodriguez, Human Resource Manager, or Dee Messam, Assistant Human Resource Manager, at 646-836-6312.

Sincerely,



Suzanne R. Hastings
Warden

I received the original and one copy of this letter.

Signature:



Date:

Aug 18, 2011



U.S. Department of Justice

Federal Bureau of Prisons

*Metropolitan Correctional Center
Office of the Warden*

150 Park Row
New York, New York 10007

August 4, 2011

[REDACTED]
Metropolitan Correctional Center
150 Park Row
New York, New York 10007

Dear [REDACTED]:

On June 3, 2011, you were issued a notice which proposed you be suspended for a period of five (5) calendar days for Off-Duty Misconduct. In making my decision, I have given full consideration to the proposal, your oral response on June 13, 2011, and to the evidence contained in the disciplinary action file which was made available to you. You did not submit a written response for consideration.

After careful consideration, I find the charge fully supported by the evidence in the disciplinary action file. During your oral response you admitted you were wrong and should have known better. Furthermore, you stated you embarrassed yourself and the job while operating your personal vehicle under the influence of alcohol. It is imperative as law enforcement officers, we obey all laws and conduct ourselves professionally both on and off duty.

In determining the most appropriate penalty, I considered among other factors, you have over seventeen years of service with the agency, this is your first disciplinary offense, your performance is above an acceptable level, and you took responsibility for your actions. Therefore, it is my decision a Letter of Reprimand should have the desired corrective effect.

You have the right to appeal this decision under either of the following procedures:

- a grievance under the grievance procedure contained in the Master Agreement (negotiated grievance procedure); or
- a formal complaint under the Department of Justice Equal Employment Opportunity Program Procedures, DOJ 1200.1, Part 4, Chapter 4-1 (September 12, 2003) (EEO).

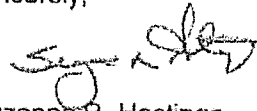
If you appeal this decision, you must elect to do so under only one procedure. You are considered to have made an election when you timely file, in writing, a grievance under the negotiated grievance procedure or a formal complaint with EEO. Please ensure you elect under which procedure you wish to proceed because, if you file under more than one procedure, the procedure under which you timely filed first shall be considered to be your elected procedure.

If you elect to file a grievance under the negotiated grievance procedure, you must file, in writing, no later than forty (40) calendar days from the date you receive this letter. You should file under Article 31 of the Master Agreement. A grievance form may be obtained from any union steward.

You may file an EEO complaint only if you believe this decision is based on discrimination because of race, sex, color, religion, age, physical or mental handicap, national origin, retaliation, parental status, sexual orientation, or genetic information. If you elect to file a formal complaint of discrimination, you must contact an EEO counselor within forty-five (45) calendar days from your receipt of this letter. If after counseling you wish to file a formal complaint, the complaint must be mailed no later than fifteen (15) calendar days after your receipt of the EEO counselor's Notice of Final Interview. The address to which a formal complaint should be sent is: EEO Officer, Federal Bureau of Prisons, 320 First Street, NW, Washington, DC 20534. A formal complaint form may be obtained from an EEO counselor. The EEO counselor for this institution is Charisma Owens, located at MDC Brooklyn, who can be reached at (718) 840-4200, ext 5105.

Should you have any questions or need assistance in this matter, please contact Elizabeth Marin Rodriguez, Human Resource Manager, or Dee Messam, Assistant Human Resource Manager, at (646) 836-6312.

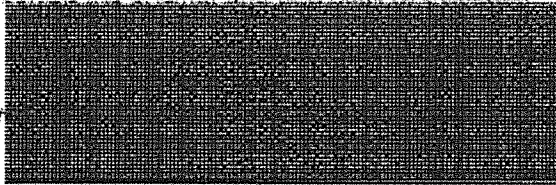
Sincerely,



Suzanne R. Hastings
Warden

I have received the original and one copy of this letter.

Signature



Date:

08/04/11



U.S. Department of Justice

Federal Bureau of Prisons

Metropolitan Correctional Center
Office of the Warden

150 Park Row
New York, New York 10007

October 14, 2011

[REDACTED]
Metropolitan Correctional Center
150 Park Row
New York, New York 10007

Dear [REDACTED]:

On July 29, 2011, you were issued a notice which proposed you be suspended for a period of five (5) calendar days for Off Duty Misconduct. In making my decision, I have given full consideration to the proposal, your oral response of August 5, 2011, and the evidence contained in the disciplinary action file which was made available to you. You did not submit a written response for consideration.

In your oral response, you apologized for being here under these circumstances. Also, you stated that you and your girlfriend got into an argument while you both were angry, and it got out of hand. You stated you were embarrassed that your job was now involved. You assured me that it would never happen again.

After careful consideration, I find the charge fully supported by the evidence in the disciplinary action file. However, in determining the most appropriate penalty, I considered among other factors, you do not have prior discipline within the reckoning period, your performance is at an acceptable level and you apologized for your actions and stated it would never happen again. Therefore, it is my decision you be suspended for three (3) calendar days. You will be suspended effective October 21, 2011 through October 23, 2011, inclusive. You will report for duty at your regularly scheduled hour on October 24, 2011. This suspension is warranted, in the efficiency of the service, and should have the desired corrective effect.

You have the right to appeal this decision under either of the following procedures:

- a grievance under the grievance procedure contained in the Master Agreement (negotiated grievance procedure); or
- a formal complaint under the Department of Justice Equal Employment Opportunity Program Procedures, DOJ 1200.1, Part 4, Chapter 4-1 (September 12, 2003) (EEO).

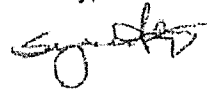
If you appeal this decision, you must elect to do so under only one procedure. You are considered to have made an election when you timely file, in writing, a grievance under the negotiated grievance procedure or a formal complaint with EEO. Please ensure you elect under which procedure you wish to proceed because, if you file under more than one procedure, the procedure under which you timely filed first shall be considered to be your elected procedure.

If you elect to file a grievance under the negotiated grievance procedure, you must file, in writing, no later than forty (40) calendar days from the date you receive this letter. You should file under Article 31 of the Master Agreement. A grievance form may be obtained from any union steward.

You may file an EEO complaint only if you believe this decision is based on discrimination because of race, sex, color, religion, age, physical or mental handicap, national origin, retaliation, parental status, sexual orientation or genetic information. If you elect to file a formal complaint of discrimination, you must contact an EEO counselor within forty-five (45) calendar days from your receipt of this letter. If after counseling you wish to file a formal complaint, the complaint must be mailed no later than fifteen (15) calendar days after your receipt of the EEO counselor's Notice of Final Interview. The address to which a formal complaint should be sent is: EEO Officer, Federal Bureau of Prisons, 320 First Street, NW, Washington, DC 20534. A formal complaint form may be obtained from an EEO counselor. The EEO counselor for this institution is Charisma Owens, located at MDC Brooklyn, who can be reached at (718) 840-4200 ext 5105.

Should you have any questions or need assistance in this matter, please contact Elizabeth Marin Rodríguez, Human Resource Manager, or Dee Messam, Assistant Human Resource Manager, at (646) 836-6312.

Sincerely,



Suzanne R. Hastings
Warden

I have received the original and one copy of this letter.

Sign

Date: 10/14/2011



U.S. Department of Justice

Federal Bureau of Prisons

*Metropolitan Correctional Center
Office of the Warden*

150 Park Row
New York, New York 10007

June 13, 2011

Metropolitan Correctional Center
150 Park Row
New York, New York 10007

Dear [REDACTED]

On March 16, 2011, you were issued a notice which proposed you be suspended for a period of five (5) calendar days for Failure to Follow Post Orders. In making my decision, I have given full consideration to the proposal, your oral response on March 23, 2011, and to the evidence contained in the disciplinary action file, which was made available to you. You did not submit a written response for consideration.

After careful consideration, I find the charge fully supported by the evidence in the disciplinary action file. During your oral response, you indicated it was a lack of communication, you believed the inmate to have been handcuffed prior to the cell door being opened. You admitted making a mistake and stated it would not happen again. As a [REDACTED] you are responsible for the safety and security of [REDACTED] and the inmates assigned to that area. Post Orders exist for the protection of an involved [REDACTED]. Your failure to ensure the inmate was handcuffed prior to the cell door being opened had the potential to create a dangerous situation which could jeopardize the safety and security of the institution.

In determining the most appropriate penalty, I considered among other factors, this is your first disciplinary offense, your performance is at an acceptable level, you admitted your actions, and your responses indicate you have learned from your mistake. However, I also considered the serious nature of the charge and the fact the incident happened in the [REDACTED]. Therefore, it is my decision you be suspended for two (2) calendar days. You will be suspended effective June 15, 2011 through June 16, 2011, inclusive. You are to report for duty at your regularly scheduled hour on June 17, 2011. This suspension is warranted, in the efficiency of the service, and should have the desired corrective effect.

You have the right to appeal this decision under either of the following procedures:

a grievance under the grievance procedure contained in the Master Agreement (negotiated grievance procedure); or

a formal complaint under the Department of Justice Equal Employment Opportunity Program Procedures, DOJ 1200.1, Part 4, Chapter 4-1 (September 12, 2003) (EEO).

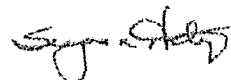
If you appeal this decision, you must elect to do so under only one procedure. You are considered to have made an election when you timely file, in writing, a grievance under the negotiated grievance procedure or a formal complaint with EEO. Please ensure you elect under which procedure you wish to proceed because, if you file under more than one procedure, the procedure under which you timely filed first shall be considered to be your elected procedure.

If you elect to file a grievance under the negotiated grievance procedure, you must file, in writing, no later than forty (40) calendar days from the date you receive this letter. You should file under Article 31 of the Master Agreement. A grievance form may be obtained from any union steward.

You may file an EEO complaint only if you believe this decision is based on discrimination because of race, sex, color, religion, age, physical or mental handicap, national origin, retaliation, parental status, sexual orientation, or genetic information. If you elect to file a formal complaint of discrimination, you must contact an EEO counselor within forty-five (45) calendar days from your receipt of this letter. If after counseling you wish to file a formal complaint, the complaint must be mailed no later than fifteen (15) calendar days after your receipt of the EEO counselor's Notice of Final Interview. The address to which a formal complaint should be sent is: EEO Officer, Federal Bureau of Prisons, 320 First Street, NW, Washington, DC 20534. A formal complaint form may be obtained from an EEO counselor. The EEO counselor for this Institution is Charisma Owens, located at MDC Brooklyn, who can be reached at (718) 840-4200 ext 5105.

Should you have any questions or need assistance in this matter, please contact Elizabeth Marin-Rodríguez, Human Resource Manager, or Dee Messam, Assistant Human Resource Manager, at (646) 836-6312.

Sincerely,



Suzanne R. Hastings
Warden

I have received the original and one copy of this letter.

Signature: _____

Date: _____

Employee transferred to the [redacted]
on leave from 6/11/11 - 6/18/11 (CA)